

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of RM-8658
Section 68.4 of the Commission's Rules
Hearing Aid Compatible Telephones

Request to Reopen the Petition for Rule Making
Reply Comments of Jack O'Keeffe

During the comment period ending December 8, 2000, more than two dozen organizations or individuals provided comments on the request of the Wireless Access Coalition (WAC) to reopen the subject petition for rule making. The comments were overwhelmingly supportive of the WAC request. Only two commenters were opposed, Verizon Wireless (Verizon) and Cellular Telecommunications and Internet Association (CTIA). This reply comment will address objections expressed by Verizon and CTIA.

Verizon argues that "Hearing Aid Compatibility is Not Technologically Feasible", but fails to provide information supporting this. In fact, Verizon identifies two ways in which hearing aid compatibility can be achieved, but fails to establish unfeasibility of either. We agree that the two ways suggested by Verizon will enhance hearing aid compatibility, and believe them to be technologically feasible. Other technologically feasible means of enhancing hearing aid compatibility have been identified by researchers at the University of Oklahoma.
see <<http://www.ou.edu/engineering/emc/projects/CDG.html>>

Verizon also argues that the WAC request and the Petition must be denied because the design of the hearing aid "is beyond the control of the wireless industry and manufacturers of wireless devices". Even if hearing aid design is not controlled by the wireless industry, this fact in no way absolves the industry from the responsibility of making compatible products. We have seen other instances where wireless device manufacturers attempt to shift responsibility. Motorola, in a user manual supplied with their digital wireless telephone Model V2397, writes, "Some digital wireless phones may interfere with some hearing aids. In the event of such interference, you may want to consult your hearing aid manufacturer to discuss alternatives". This shirking of responsibility for achieving hearing aid compatibility by elements of the wireless industry does not support denial of the WAC request and petition. To the contrary, it clearly indicates that the wireless industry has no incentive to provide hearing aid compatibility. Hearing aid compatibility will never be realized absent regulatory oversight. For this reason the WAC request and petition must be approved.

CTIA cites the criteria prescribed by the Hearing Aid Compatibility Act which must be met before revoking or limiting the exemption of wireless phones, but fails to show that any of the criteria are not presently satisfied. CTIA further expresses a belief that that, "it is premature for the Commission to commence a rule making proceeding at this time". Revisiting this issue five years after

the summit process is hardly "premature".

Respectfully submitted,

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